

Prior law required every person, before operating a motor vehicle on any public street, road, or highway of this state, to secure a driver's license from the department.

New law retains prior law and further authorizes the securing of a license from a public license tag agent authorized to issue Class "D" or "E" drivers' licenses.

New law authorizes the department to contract with or enter into agreements with a public license tag agent for the issuance of Class "D" or "E" drivers' licenses, provided such public license tag agent complies with all provisions of state and federal laws, and complies with all policies and procedures adopted by the department regarding the issuance of drivers' licenses. Authorizes department to contract with or enter into agreements with a public license tag agent or certify or license the agent to issue drivers' licenses. The department shall establish minimum qualifications and prescribe the procedures to be used. Public license tag agents must use the same technology utilized by the department for issuance of licenses to ensure that licenses issued by the agent are identical to licenses issued by the department. Provides that the department shall by rule establish a system to regulate public license tag agents issuing drivers' licenses, and such regulations shall have the full force and effect of law.

New law provides that in addition to any other applicable sanction, improper issuance of a driver's license shall subject the public license tag agent to certain penalties, including a \$5,000 civil penalty per violation, and revocation or suspension of the privilege to issue drivers' licenses. The department shall promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the new law.

Prior law required every applicant for a license to pass a knowledge and skills test for a motor vehicle representative of the type of motor vehicle he operates or expects to operate. In addition, each examination was required to include a test of the applicant's eyesight, ability to understand highway signs, knowledge of railroad and highway grade crossing safety, and knowledge of all relevant traffic regulations.

Prior law required the department to administer knowledge tests and authorized the department to allow skills tests to be administered by a third party, including another state, an employer, a private training facility or other private institution, or a department, agency, or instrumentality of state or local government.

New law retains prior law and further authorizes a public license tag agent to administer the knowledge and skills tests for Class "D" or "E" drivers' licenses.

Prior law authorized the department to contract with or enter into agreements with third parties or certify or license them to perform testing. Furthermore, the department was required to ensure that all tests were administered by qualified examiners, and set minimum qualifications for examiners and proscribe procedures for testing. The department was also required to devise a system to regulate third party examiners.

New law retains prior law.

Prior law authorized a civil penalty up to \$5,000 per violation, or revocation or suspension of the privilege to test applicants for improper issuance of proof of successful completion of the skills test. New law retains prior law and

further authorizes the same civil penalty and sanctions for improper issuance of proof of successful completion of the knowledge test.

Prior law required third party examiners to provide evidence to the applicant who has successfully passed the driving skills test on a form approved by the department. New law retains prior law and further requires evidence of the successful completion of the written knowledge test on a form approved by the department.

Prior law provided a limitation of liability for a third party tester, its agents, or its employees for any and all claims, losses, damages, costs, and other proceedings made, sustained, brought, or prosecuted in any manner based upon, occasioned by, or attributable to any injury, infringement, or damage arising from, or claimed to have arisen from, acts committed by a driver who was given a skills test by such third party tester, provided the test was administered in accordance with state rules, regulations, and laws.

New law retains prior law and extends the limitation of liability to a third party tester providing a written knowledge test, provided the written test is administered in accordance with state rules, regulations, and laws.

Effective August 15, 1999.

(Amends R.S. 32:402(A) and (B), 408(A)(1) and (4), and 408.2 and R.S. 47:532.1(A)(7))